

REMARKS

The last Office Action of May 11, 2009 has been carefully considered. Reconsideration of the instant application in view of the the following remarks is respectfully requested.

CLAIM REJECTIONS - 35 U.S.C. §103

Claims 18, 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 6,975,055 to Joong et al. in view of WO 00/62400 to Felici et al.

The rejection under 35 U.S.C. 103(a) is respectfully traversed in view of the following remarks.

Claim 18 is the sole independent claim and is directed to an electric propulsion vehicle with a vehicle body and a wheel set mounted to the vehicle body. Operatively connected to the wheel set is an electric machine having a stator formed by a plurality of laminations having axial slots and teeth extending between adjacent slots. Placed about at least a predefined number of teeth are pre-fabricated tooth coils. The laminations have two sections configured without slots while following a contour of a stator bore in the area of the air gap and positioned in circumferential direction of the stator in opposing relationship between the vehicle body and the rails.

Applicant respectfully submits that the combination of Joong et al. and Felici, as suggested by the Examiner, fails to raise a *prima facie* case of obviousness.

The Joong et al. reference describes an electric machine having an armature winding 11 which is wound in slots of a stator core 10 (col. 3, ll. 61-62). There is no description in Joong et al. of "pre-fabricated tooth coils" which are placed about at least a predefined number of teeth. In fact, nowhere does Joong et al. refer in any way to "teeth". Thus, the Examiner's contention that Joong et al. disclose laminations with slots and teeth and the presence of pre-fabricated tooth coils in teeth of the stator is pure speculation and not supported by Joong's disclosure.

The Felici reference describes an electric motor having a stator 2 formed internally with a plurality of slots 4 which house a stator electric (three-phase) winding 5 (page 5, ll. 3-4). As clearly shown in Fig. 3, the winding 5 has voltages which are phase-displaced by 120 with respect to each other. Each phase of the stator winding is associated with four slots, with two slots for each phase pole. In other words, also Felici fails to make any reference to "teeth" and to disclose the presence of pre-fabricated tooth coils in teeth of the stator.

In addition, applicant wishes to note that claim 18 specifically sets forth the positional relationship between the two slotless sections, on one hand, and the vehicle body and the rails, on the other hand, i.e. that the slotless sections are positioned in circumferential direction of the stator in opposing relationship between the vehicle body and the rails. The Examiner's contention that Felici discloses this claim limitation is pure speculation and not supported by the Felici's disclosure. Nowhere does Felici relate in any way to a vehicle body or rails, let alone any positional relationship between the slotless sections and the vehicle body and rails.

For the reasons set forth above, it is applicant's contention that neither Joong et al. nor Felici, nor a combination thereof teaches or suggests the features of the present invention, as recited in claim 18.

Claims 13, 16-18, which depend from claim 18 and therefore contain all the limitations thereof, patentably distinguish over the applied prior art in the same manner as claim 18.

Withdrawal of the rejection under 35 U.S.C. §103(a) is thus respectfully requested.

CITED REFERENCES

Applicant has also carefully scrutinized the further cited prior art applied against dependent claims and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate conditions for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen
Agent for Applicant
Reg. No. 31,084

Date: July 21, 2009
708 Third Avenue
Suite 1501
New York, N.Y. 10017
(212) 244-5500
HMF:af